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31 October 2005 Office Action

**Remarks**

Applicants would like to thank the Examiner for the courteous telephone interview extended to the undersigned and inventor Bouffard on Friday, December 9, 2005. During that interview it was agreed that Applicants would amend the claims to include the "freely pivotal" nature of the ends of the adjustable spring mechanisms and poles, and include language that distinguishes the freely pivotal nature from rotational movement, which the Examiner indicated "pivotal" could broadly be interpreted to encompass. It was also agreed that some of the claims should include the "tension connectors" because the Examiner indicated that these also appeared to be an inventive aspect. The Examiner also asked Applicants to indicate in the claims that the adjustable spring mechanisms and poles are disposed rearward of the tensional two-dimensional material to distinguish from Respini.

Claims 1-6 and 8-17 are pending in the present application. Claims 1, 2, and 4 stand rejected under 35 U.S.C. 102(b), and claims 1-7 and 9-13 stand rejected under 35 U.S.C. 103(a). Original claim 13 has been renumbered as claim 12. Claims 1, 8, 11, and 12 have been amended. New claims 13-17 have been added.

Applicants respectfully request reconsideration and allowance of the above-identified application in view of the above amendments and the following remarks.

**35 U.S.C. 102(b) (Claims 1, 2, 4; Powell):**

In accordance with the telephone interview with the Examiner on Friday, December 09, 2005, Applicants have amended claim 1 to further define over the prior art. Pursuant to the interview, claim 1 has been amended to include the "freely pivotal" nature of the ends of

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the adjustable spring mechanisms, and include language that distinguishes the freely pivotal nature from possible rotational movement, which the Examiner indicated "pivotal" could broadly be interpreted to encompass. Applicants respectfully request that this rejection be withdrawn.

Saunders does not disclose, teach, or suggest, among other things, a frameless portable suspension system including a tensional two-dimensional material with a bottom secured to ground; a pair of adjustable spring mechanisms including lower ends adjacent the ground that are freely pivotal relative to the ground, the lower ends forming vertices of angles defined by the adjustable spring mechanisms and the ground, and the angles freely changeable with free pivotal movement of the lower ends of the adjustable spring mechanisms; and wherein the tension in the tensional two-dimensional material is adjustable with the adjustable spring mechanisms while the tensional two-dimensional material is under tension and the tensional two-dimensional material is positionable in a vertical plane perpendicular to the ground upon adjustment of the tension in the tensional two-dimensional material with the adjustable spring mechanism.

Accordingly, Applicants respectfully request that this rejection be withdrawn.

**35 U.S.C. 103(a) (Claims 1-7 and 10-13; Respini/Jones):**

In accordance with the telephone interview with the Examiner on Friday, December 09, 2005, Applicants have amended claims 1, 11, and 12 to further define over the prior art. Pursuant to the interview, the claims have been amended to include the "freely pivotal" nature of the ends of the adjustable spring mechanisms and poles, and include language that

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distinguishes the freely pivotal nature from possible rotational movement, which the Examiner indicated "pivotal" could broadly be interpreted to encompass. Per the Examiner's suggestion, the claims (claims 5, 11, 13) include the "tension connectors" and the claims (claims 1, 11, 12) indicate that the adjustable spring mechanisms and poles are disposed rearward of the tensional two-dimensional material to distinguish from Respini. Applicants respectfully request that this rejection be withdrawn.

Respini does not disclose, teach, or suggest, among other things, a frameless portable suspension system including a tensional two-dimensional material having a frameless perimeter; a pair of adjustable spring mechanisms disposed rearward of the tensional two-dimensional material and including lower ends adjacent the ground that are freely pivotal relative to the ground, the lower ends forming vertices of angles defined by the adjustable spring mechanisms and the ground, and the angles freely changeable with free pivotal movement of the lower ends of the adjustable spring mechanisms; and wherein the tension in the tensional two-dimensional material is adjustable with the adjustable spring mechanisms while the tensional two-dimensional material is under tension and the tensional two-dimensional material is positionable in a vertical plane perpendicular to the ground upon adjustment of the tension in the tensional two-dimensional material with the adjustable spring mechanism.

Jones adds nothing in respect to the missing aspects of Respini. Further, Applicants respectfully submit that proper motivation does not exist to combine Jones with Respini in the manner suggested because Respini is complete in itself. Respini does not disclose, teach, or suggest adjustable tension as in the claimed invention so there would be no reason to

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include the telescoping tubes of Jones in the manner suggested. It should also be noted that if the pole ends in Respini were freely pivotal as claimed, the net in Respini would fall over, making it inoperable.

Because the combination of the cited references does not achieve the claimed invention, and proper motivation does not exist to combine the references, Applicants respectfully submit that the claimed invention is not obvious over Respini in view of Jones.

**35 U.S.C. 103(a) (Claim 9; Respini/Jones/Plant):**

Applicants respectfully traverse this rejection for the reasons set forth above with respect to claims 1-7 and 10-13 and Respini/Jones. Plant adds nothing in regard to the missing elements of Respini/Jones, and the missing motivation to combine Jones with Respini. Further, Applicants respectfully submit that proper motivation does not exist to combine Plant with Respini/Jones in the manner suggested because Respini is complete in itself. Respini does not disclose, teach, or suggest adjustable tension as in the claimed invention so there would be no reason to include the adjustable lines of Plant in the manner suggested.

Applicants respectfully submit that the claimed invention is not obvious over Respini in view of Jones and further in view of Plant.

**35 U.S.C. 103(a) (Claims 1-7 and 10-13; Davidson/Powell):**

In accordance with the telephone interview with the Examiner on Friday, December 09, 2005, Applicants have amended claims 1, 11, and 12 to further define over the prior art.

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Pursuant to the interview, the claims have been amended to include the "freely pivotal" nature of the ends of the adjustable spring mechanisms and poles, and include language that distinguishes the freely pivotal nature from possible rotational movement, which the Examiner indicated "pivotal" could broadly be interpreted to encompass. Per the Examiner's suggestion, the claims (claims 5, 11, 13) include the "tension connectors" and the claims (claims 1, 11, 12) indicate that the adjustable spring mechanisms and poles are disposed rearward of the tensional two-dimensional material. Applicants respectfully request that this rejection be withdrawn.

Davidson does not disclose, teach, or suggest, among other things, a frameless portable suspension system including a tensional two-dimensional material having a bottom secured to ground; a pair of adjustable spring mechanisms coupled to the upper corners and providing the upper corners in tension in an upward vertical direction and a outward horizontal direction, the adjustable spring mechanisms disposed rearward of the tensional two-dimensional material and including lower ends adjacent the ground that are freely pivotal relative to the ground, the lower ends forming vertices of angles defined by the adjustable spring mechanisms and the ground, and the angles freely changeable with free pivotal movement of the lower ends of the adjustable spring mechanisms; and wherein the tension in the tensional two-dimensional material is adjustable with the adjustable spring mechanisms while the tensional two-dimensional material is under tension and the tensional two-dimensional material is positionable in a vertical plane perpendicular to the ground upon adjustment of the tension in the tensional two-dimensional material with the adjustable spring mechanism.

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Powell adds nothing in respect to the missing aspects of Davidson.

Because the combination of the cited references does not achieve the claimed invention, Applicants respectfully submit that the claimed invention is not obvious over Davidson in view of Powell.

**New Claims:**

Applicant has added new claims 13-17. Applicants respectfully submit that these claims should be in condition for immediate allowance, and such action is respectfully requested.

**Conclusion**

If the Examiner has any questions or comments regarding the above Amendments and Remarks, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,  
Procopio, Cory, Hargreaves & Savitch LLP

Dated: 12/13/05

By: Stephen C. Beuerle

Stephen C. Beuerle  
Reg. No. 38,380

Procopio, Cory, Hargreaves & Savitch LLP  
530 B Street, Suite 2100  
San Diego, California 92101-4469  
(619) 238-1900